

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**UNITED WATER CONSERVATION DISTRICT,**  
*Plaintiff-Appellant*

**v.**

**UNITED STATES,**  
*Defendant-Appellee*

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2023-1602

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Appeal from the United States Court of Federal Claims  
in No. 1:22-cv-00542-CFL, Senior Judge Charles F. Lettow.

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**ON PETITION FOR PANEL REHEARING AND  
REHEARING EN BANC**

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Before MOORE, *Chief Judge*, LOURIE, DYK, PROST, REYNA,  
TARANTO, CHEN, HUGHES, STOLL, CUNNINGHAM, and  
STARK, *Circuit Judges*<sup>1</sup> and GILSTRAP, *District Judge*<sup>2</sup>.

PER CURIAM.

**O R D E R**

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<sup>1</sup> Circuit Judge Newman did not participate.

<sup>2</sup> Honorable Rodney Gilstrap, District Judge, United States District Court for the Eastern District of Texas, sitting by designation, participated only in the decision on the petition for panel rehearing.

Appellant United Water Conservation District filed a combined petition for panel rehearing and rehearing en banc. The Association of California Water Agencies, California Special Districts Association; Family Farm Alliance, Modesto Irrigation District, Rowland Water District, Santa Clarita Valley Water Agency, South San Joaquin Irrigation District, and Turlock Irrigation District requested leave to file a brief as amicus curiae, which the court granted. The California Avocado Commission, California Cherry Growers and Industry Association, California Cotton Ginners and Growers Association, California Farm Bureau Federation, California Fresh Fruit Association, California Pear Growers Association, California Seed Association, Western Growers Association, and Western Tree Nut Association requested leave to file a brief as amicus curiae, which the court granted. The petition was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

July 29, 2025  
Date